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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,443	11/24/2003	Bernad H. vanBilderbeek	121947.0010.004	7125

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EXAMINER
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GAY, JENNIFER HAWKINS

ART UNIT	PAPER NUMBER
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3672

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/721,443

**Applicant(s)**

VANBILDERBEEK, BERNAD H.

**Examiner**

Jennifer H Gay

**Art Unit**

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) 5-10 and 41-43 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/23/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Election/Restrictions*

1. Claims 5-10 and 41-43 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 22 November 2004.

### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "1030" has been used to designate both a retaining structure or ring and a band or O-ring.

3. The drawings are objected to because of the following:

- In Figures 10-20 the writing in the figures should be deleted as it is not necessary.
- In Figure 19, reference character "100" should be changed to 1000 and the reference number directly below "100", "102?" should be corrected.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 2.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 328, 332, 336, 928, 930, 932, 962, 968, X964, 970, and X966.

6. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must

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be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

7. The disclosure is objected to because of the following informalities: the Cross-Referenced Application data should be updated to include the status of each of the parent application, i.e. patent number or abandon, and should be changed to include Application No. 09/179,056 as Application No. 09/563,959 is a divisional of that application.

Appropriate correction is required.

### ***Claim Objections***

8. Claims 11, 18, and 28 are objected to because of the following informalities:

- In line 2 of claim 11, "The" should be changed to --the--.
- In line 1 of claim 18, --a-- should be added before "casing hanger".
- Claim 28 recites the limitation "the stress relieving mechanism" in line 1.

There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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10. Claims 1-4, 31, 32, 36, 40, 44, 46, and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Burns et al. (US 2,097,615).

*Regarding claim 1:* Burns et al. discloses a releasable clamp for securing a smaller tube **I** having inner and outer walls and a first outer diameter within a larger tubular member **O** having a central axis and inner and outer walls of a second, larger internal diameter. The clamp includes the following features:

- A peripheral member **12** mounted on the larger tubular.
- A clamping device **11** and **75** in communication with the peripheral member for generating forces within the reaches of the peripheral member for reducing the inner diameter of the larger tubular for securing the smaller tubular and releasing the smaller tubular when the force is disengaged. *The examiner notes that Burns et al. does not specifically disclose reducing the inner diameter of the larger tubular member, however, when the clamping device is tightened the force it applies to the larger tubular member would inherently decrease the inner diameter of the tubular to some degree.*

*Regarding claims 2, 3:* The peripheral member is mounted on and surrounds the outer wall or exterior of the larger tubular member.

*Regarding claim 4:* The clamping device is non-invasive.

*Regarding claim 31:* The peripheral member and the clamping device are selectively movable along the axis of the larger tubular member as they are put in place and tightened.

*Regarding claim 32:* The clamp further includes a holding device **16** for securing the peripheral member and clamping device in a selected position.

*Regarding claim 36:* The clamp further includes a seal **13** located between the smaller and larger tubular members.

*Regarding claim 40:* Burns et al. discloses a method for clamping a smaller tubular member within a larger tubular member. The method involves the following steps:

- Placing the smaller tubular member I within the larger tubular member O.
- Exerting a radially inward force on the exterior of the larger tubular member such that the larger tubular member flexes inward slightly such that the smaller tubular is clamped in place.
- Releasing the forces so that the smaller tubular member is released.

*Regarding claim 44:* The radially inward forces are applied by moving a tapered clamping device 11 and 75 relative to a tapered peripheral member 51 attached to the larger tubular member.

*Regarding claim 46:* The clamping device is moved by rotating threaded fasteners 75 associated with the clamping device.

*Regarding claim 47:* The peripheral member is placed on the larger tubular member and then the clamping device is used to apply the force.

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burns et al. (US 2,097,615).

Burns et al. discloses all of the limitations of the above claims except for a plurality of clamp assemblies or rings being positioned in axially spaced relationship along the outer wall of the larger tubular member.

However, it would have been considered obvious to one of ordinary skill in the art, at the time the invention was made, to have used a plurality of the clamp assemblies or rings 25 taught by Burns et al., since it has been held that mere duplication of the

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essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

13. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burns et al. (US 2,097,615) in view of Wester (US 6,513,596).

Burns et al. discloses all of the limitations of the above claims except for a strain gage being located on the inner wall of the smaller tubular member.

Wester discloses a casing hanger system and further teaches the use of strain gages within the system (2:26-35, 6:33-36).

It would have been considered obvious to one of ordinary skill in the art, at the time the invention was made, to have modified the clamp assembly of Burns et al. to include a strain gage as taught by Wester in order to have provided a means for monitoring the pressure within the casing string and thus prevent hazardous pressure leaks (1:15-30).

#### ***Allowable Subject Matter***

14. Claims 11-30, 33-35, and 45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

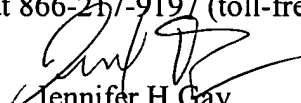
The remaining references made of record disclose various casing hangers and clamps.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer H Gay whose telephone number is (703) 308-2881. The examiner can normally be reached on Monday-Thursday, 6:30-4:00 and Friday, 6:30-1:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on (703) 308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jennifer H Gay  
Patent Examiner  
Art Unit 3672

JHG   
January 6, 2005